

In re Patent Application of:

FLICK

Serial No. 10/043,077

Confirmation No. 6614

Filed: JANUARY 9, 2002

REMARKS

Applicant thanks the Examiner for the careful and thorough examination of the present application, and for correctly withdrawing the prior rejections of the claims.

Applicant submits that all claims are patentable, and presents arguments herein supporting such patentability.

I. The Claimed Invention

Independent Claim 18 is directed to a vehicle control system for a vehicle comprising a vehicle data communications bus extending throughout the vehicle, a vehicle alarm indicator connected thereto, and an instrument panel carrying the vehicle alarm indicator. The vehicle alarm indicator may include at least one original equipment icon. The vehicle control system may comprise at least one uniquely coded transmitter to be carried by a user, a receiver at the vehicle for receiving signals from the uniquely coded transmitter, and a controller at the vehicle spaced apart from the original equipment icon. The controller is for communicating with the original equipment icon via the vehicle data communications bus, and cooperating with the receiver and the vehicle data communications bus for learning the uniquely coded transmitter to permit control of a vehicle function by the user. The controller is also for communicating with the original equipment icon via the data communications bus to cause an indication of whether at least one new uniquely coded transmitter has been learned, and causing

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the original equipment icon to generate an indication of a number of learned uniquely coded transmitters.

Independent Claim 30 is also directed to a vehicle control system similar to that of Claim 18, but recites a biometric characteristic sensor for sensing a unique biometric characteristic of the user rather than the uniquely coded transmitter and the receiver. Independent Claim 57 is a method counterpart to Claim 30.

II. The Claims Are Patentable

A. THE CLAIMS COMPLY WITH 35 U.S.C. §112

The Examiner rejected dependent Claims 19, 32, and 59, contending that the recitation of the original equipment icon comprising at least one of a light, a visual display, a vibration transducer, a speech message generator, and an audible signal generator was not described in the present application to satisfy the written description requirement of 35 U.S.C. §112. As correctly recognized by the Examiner, the present application discloses that the vehicle indicator can comprise at least one of a light, a visual display, a vibration transducer, a speech message generator, and an audible signal generator (Page 11, lines 11-26). This portion of the present application recites:

As shown in the illustrated system 10, the indicator may comprise one or more icons or indicator lights 26a-26f on an instrument panel 27 of the vehicle. This embodiment is readily installed as an aftermarket device or may also be included as original

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equipment on the vehicle. As will be appreciated by those skilled in the art, the vehicle indicator in other embodiments may comprise at least one of a light, a visual display, a vibration transducer, a speech message generator, and an audible signal generator.

Applicant submits that the illustrated embodiment shows the original equipment icon as "one or more icons or indicator lights" and "other embodiments" language modifies both the original equipment and aftermarket embodiments. Nevertheless, the aforementioned rejection deals with whether the person of ordinary skill in the art could make the claimed invention and Applicant submits that such skilled person could appreciate and make the original equipment icon as at least one of a light, a visual display, a vibration transducer, a speech message generator, and an audible signal generator based upon the present application's disclosure. Accordingly, Applicant submits that present application and accompanying claims satisfy all of the requirements of 35 U.S.C. §112.

B. INDEPENDENT CLAIM 18 IS PATENTABLE

The Examiner rejected independent Claim 18 over Ogino et al. in view of Flick '571, Flick '460, and Hein et al. In an alternative argument, the Examiner also rejected independent Claim 18 similarly but also further in view of Allen et al. Referring to FIG. 3, Ogino et al. discloses a vehicle security system comprising a car security unit 10 including a controller

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17, a bus input/output (i/o) module 16 coupled to the controller, and a transceiver 12 also coupled to the controller. The system further includes a wireless transmitter 11 cooperating with the transceiver, and a bus line 6a coupled to the bus i/o module. The wireless transmitter further includes a display screen 11a for displaying reference numbers for sensors experiencing error faults.

The Examiner correctly recognizes that Ogino et al. fails to disclose communicating with the vehicle alarm indicator via the data communications bus to cause an indication of whether at least one new uniquely coded transmitter has been learned, as recited in independent Claim 18. The Examiner looks to Flick '571 to supply this deficiency. Flick '571 discloses a building security system comprising indicators that can indicate the number of learned remote transmitters.

The Examiner correctly notes that both Ogino et al. and Flick '571 fail to disclose an instrument panel carrying the vehicle alarm indicator and causing an indication of a number of learned uniquely coded transmitters, as recited by independent Claim 18. The Examiner first looks to Flick '460 for this deficiency.

Flick '460 discloses a vehicle security system including a plurality of vehicle devices throughout the vehicle, a controller, a remote transmitter in communication with the controller, and a vehicle data communications bus for

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communications between the controller and the vehicle devices. (Col. 4, line 51: col. 5, line 31).

Applicant notes that Ogino et al., Flick '571, and Flick '460 each fail to disclose using the vehicle alarm indicator to cause an indication of a number of learned uniquely coded transmitters, as recited by independent Claim 18. In other words, Applicant submits that the first rejection of Ogino et al., Flick '571, and Flick '460 fails to disclose each and every feature of independent Claim 18.

In the alternative argument, the Examiner correctly acknowledges this deficiency of Ogino et al., Flick '571, Flick '460, and Hein et al. and looks now to Allen et al. Allen et al. discloses a vehicle security system including a dashboard mounted light emitting diode (LED) flashing a number of times corresponding to the number of coded remote transmitters. (Col. 2, lines 63-67).

The Examiner now correctly notes that Ogino et al., Flick '571, Flick '460, Allen et al. each fails to disclose the claimed invention's manipulations of the original equipment icon, for example, causing the original equipment icon to generate an indication of a number of learned uniquely coded transmitters. The Examiner looks to Hein et al. for this deficiency of the prior art.

Hein et al. discloses an instrument panel system for an automobile that provides greater flexibility in adding devices during the automobile manufacturing process. The

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instrument panel system comprises a flat flexible wire 16, and a plurality of connectors 30 coupled thereto for coupling components to the wire, for example, the illustrated gauges 32 and CD player 24.

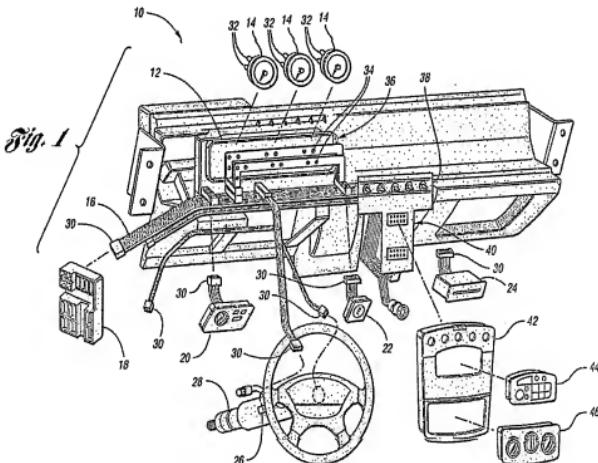


Figure 1 of Hein et al.

The system presents uniform cable connections to all potential configurations of components so "each module can be substituted for a module having different features or function, and still be connected to the same wire." (Col. 3, lines 32-41). The wire includes a pair of lines 60 for an ITS data bus link "for electronic components typically offered in the highest option vehicles. IDB links are commonly used to link after-

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market products into an existing electrical system." (Col.4, lines 46-49). The Examiner contended that the person of ordinary skill in the art would inject yet another feature into Ogino et al. to provide greater flexibility and reduce cost.

Applicant respectfully submits that the Examiner's proposed combination is improper for the reasons set forth below. Firstly, Applicant submits that the person of ordinary skill in the art would not be necessarily motivated as suggested by the Examiner to selectively combine the instrument panel system of Hein et al. Hein et al. teaches an instrument panel system that reduces cost and provides flexibility by providing modular and uniform connectors for a variety of vehicle components. Of course this reduction in wiring cost is over the "traditional wiring harness," i.e. one wire for each connection. (Col. 2, lines 2-11). Applicant submits that this is problematic for the Examiner's proposed combination for at least two reasons. One, none of the claimed invention, Ogino et al., Flick '571, Flick '460, nor Allen et al. uses the traditional wiring harness. Indeed, Ogino et al. and the Flick patents use the superior data bus technology. In short, the alleged benefit of the teachings of Hein et al. does no apply to the primary prior art references.

Two, the teaching provided by Hein et al. to further bolster the Examiner's rejection, using original equipment icons, has nothing to do with the contended benefits of reduced cost and flexibility taught in Hein et al. The flat cable design

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and the uniform interface connectors of Hein et al. reduce cost and provide flexibility, not the fact that they connect to an indicator icon. Applicant submits that the Examiner cannot simply cite some supposed advantage of Hein et al. and then combine an unrelated teaching disclosed therein. The actual cited advantage has to tangentially relate to the feature derived therefrom. Based on that faulty rationale, the Examiner could hypothetically combine the steering wheel 28 taught by Hein et al. into Ogino et al. using the same underpinnings of the current rejection.

Accordingly, because of the above reasons, Applicant submits that the Examiner's 5-way rejection is improper and that independent Claim 18 is patentable over the prior art. Its respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

C. INDEPENDENT CLAIMS 30 AND 57 ARE PATENTABLE

The Examiner rejected independent Claims 30 and 57 over Anzai et al. in view of Flick '460 and Hein et al. In an alternative argument, the Examiner similarly rejected independent Claims 30 and 57 but further in view of Allen et al. Anzai et al. discloses a biometric authorization system for a vehicle that includes an enrollment mode. (Col. 2, lines 39-47). The system is capable of providing tiered levels of access to different users. The Examiner correctly recognizes that

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Anzai et al. fails to disclose communicating with the at least one vehicle device via the data communications bus, as recited in independent Claim 30, for example. The Examiner looks to Flick '460 to supply this critical deficiency of Anzai et al.

Flick '460 discloses a vehicle security system including a plurality of vehicle devices throughout the vehicle, a controller, a remote transmitter in communication with the controller, and a vehicle data communications bus for communications between the controller and the vehicle devices. (Col. 4, line 51: col. 5, line 31). The Examiner contended that the person of ordinary skill in the art would combine Anzai et al. and Flick '460 to reduce: the amount of wiring, wiring problems, and complications that arise when troubleshooting an electrical problem.

Applicant submits that neither Anzai et al. nor Flick '460 discloses an instrument panel carrying the vehicle alarm indicator and communicating with the vehicle alarm indicator via the vehicle data communications bus to cause an indication of whether at least one new unique biometric characteristic has been learned, as recited by independent Claims 30 and 57. In other words, Applicant submits that the 2-way combination of Anzai et al. and Flick '460 fails to disclose each and every feature of independent Claims 30 and 57.

In the alternative argument, the Examiner correctly acknowledges that both Anzai et al. and Flick '460 fail to disclose an instrument panel carrying the vehicle alarm

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indicator and communicating with the vehicle alarm indicator via the vehicle data communications bus to cause an indication of whether at least one new unique biometric characteristic has been learned, as recited by independent Claims 30 and 57. The Examiner looks to Allen et al. for this deficiency.

Allen et al. discloses a vehicle security system including a dashboard mounted light emitting diode (LED) flashing a number of times corresponding to the number of coded remote transmitters. (Col. 2, lines 63-67).

Applicant submits, for substantially the same reasons set forth above in Section B above, that the Examiner's proposed 4-way combination of the prior art is improper. Because of this, Applicant submits that independent Claims 30 and 57 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

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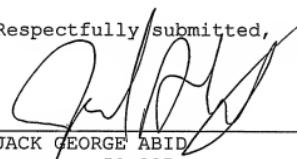
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CONCLUSIONS

In view of the arguments presented above, it is submitted that all of the claims are patentable. Accordingly, a Notice of Allowance is respectfully requested in due course. Should any minor informalities need to be addressed, the Examiner is encouraged to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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